



**TRICOCI UNIVERSITY**  
OF BEAUTY CULTURE.

**ANNUAL SECURITY REPORT**  
**2024**



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OF BEAUTY CULTURE®

**Annual Security Report**

**2024**

Tricoci Elgin

264 South Randall Road

Elgin, IL 60123



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## **Annual Security Report**

Tricoci University of Beauty Culture, located in the village of Elgin, Illinois (Tricoci, Tricoci Elgin, or the University) is required by the Department of Education (the Department) to develop and distribute the Annual Security Report (ASR) in accordance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act)*. Tricoci University fully embraces the intention of the Clery Act and appreciates the support of the Department in developing and administering our various safety and security programs.

The health, safety, and security of all our constituents, particularly our students, employees, and guests is Tricoci University's priority. Accordingly, the University has developed a set of policies and procedures intended to protect, to the extent possible, all individuals spending time in and around our facility. Senior Executives and Campus Management developed and enforce these policies and procedures.

Tricoci's ASR contains the crime statistics for the past three calendar years. Crime statistics may be found on page xx.

## **Campus Security Policy Overview**

Tricoci University of Beauty Culture seeks to ensure that students, employees, and guests, as well as their belongings, are safe during their time on or around Tricoci Elgin. With this objective, and following the requirements detailed in the Clery Act, Tricoci University has developed the following set of policies and procedures that cover a range of safety and security matters.

## **The Statement of Policies Regarding Procedures for Students and Others to Report Criminal Actions or Other Emergencies Occurring on Campus Including the University's Policies Concerning its Response to these Reports**

Anyone on campus who is made aware of, or witness to, a crime in process, a medical emergency, and/or a fire should immediately report to 911 (via cell phone only). After calling 911, contact the Campus Director or their designee, the Title IX Coordinator, or a Campus Security Authority (CSA).

To report non-emergency incidents occurring on campus, contact the Campus Director or their designee, the Title IX Coordinator or a CSA. Reporting crimes or other public safety incidents in a timely manner helps protect others. The Campus Director will assist students with notification of proper authorities as needed.

All crimes or other emergencies occurring on the Elgin campus of Tricoci University are reported to the Campus Director or their designee, the Title IX Coordinator or a CSA. Anyone who observes any crime committed on campus or within campus geography or if any person reveals that they learned of, was the victim of, perpetrator of, or witness of a crime, they should immediately inform campus management. Any crime may take the form of a hate crime, which manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability.

## **Timely Warning and Emergency Notification for Serious Crimes and/or Threats**

In the event that a situation arises that constitutes an ongoing or continuing threat to the health or safety of students, employees, and guests, Tricoci University will immediately notify the campus community. The Campus Director or their designee will, without delay, determine the content of the notification, and initiate the notification process. The Campus Director or their designee will issue the notification by either text or e-mail announcements, the posting of flyers, campus public address announcements, or other appropriate means.

Tricoci will withhold as confidential the names and other identifiers of victim as defined in the Violence Against Women Act (VAWA) of 1994. Further, the University will aid in the prevention of similar crimes, and report to the Campus community crimes described in this report and reported to CSAs or the local police agency.

**The Preparation and Dissemination of the Annual Security Report**

Tricoci University's Annual Security Report (ASR) includes statistics for the previous three years concerning reported crimes that occurred on-campus, and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, and other crimes.

The Director of Compliance is responsible for compiling the information for the annual report for Tricoci University and is responsible for ensuring the overall accuracy of the report. The ASR is updated and published annually by October 1 of each year. Throughout the year, the Campus Director, the Title IX Coordinator, and Director of Compliance compile a list of any crimes that were reported to them. In addition, Tricoci has a relationship with the Elgin Police Department, and they are contacted yearly to inquire about any crimes that may have been reported on Tricoci's Clery geography to include in the ASR. Note, however, that the University is not responsible for the failure of the local or State police agency to supply the required statistics.

By October 1 of each year, Tricoci submits its ASR to the Department and discloses the report on its website. Subsequently the University distributes the link to the direct location of the ASR (<https://www.tricociuniversity.edu/disclosures/>) through the University's email system to every enrolled student and staff. All students and employees are issued an official Tricoci University email address. Tricoci's email service supports the educational and administrative activities of the University and serves as the primary official communication by and between users and the University. Tricoci uses the official email address to communicate important announcements to its students and staff. Prospective employees and prospective students are notified of this report and of the report's content and the direct location of the report on Tricoci's website.

Individuals may receive a paper copy of the ASR upon request by contacting the Director of Compliance at 630-528-3373.

**Campus Officials Contact Information:**

Teresa Phillips	Campus Director	847-376-0740	tphillips@tricociuniversity.edu
Emilie Boyce	Title IX Coordinator	630-528-3373	eboyce@tricociuniversity.edu
Campus Security Authorities			
Karla Kelly	Student Success Advisor	847-376-0740	kakelly@tricociuniversity.edu

**Off Campus Officials Contact Information**

Emergency 911  
 Elgin Police (847) 289-2700  
 Local Fire Department (847) 931-6175

The Title IX Coordinator is responsible for compliance with Title IX of the Education Amendments of 1972, that prohibits sex discrimination on the basis of gender identity, sexual orientation, and pregnancy in any education program or activity receiving Federal financial assistance. The Title IX regulation states that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient that receives Federal financial assistance.

## **Policies for Victims or Witnesses to Report Crimes on a Voluntary, Confidential Basis for Inclusion in the Annual Disclosure of Crime Statistics.**

To protect individuals and ensure all crimes are reported to be included in the annual disclosure of crime statistics Tricoci University encourages victims or witnesses to report crimes on a voluntary, confidential basis. The University will initiate procedures of contacting any victim of a crime and the appropriate authorities and documenting the incident. If the victim of a crime chooses not to file a police report Tricoci will respect that decision.

## **A Statement of Policies Concerning Security of and Access to Campus Facilities**

Tricoci Elgin is open Monday through Friday from 9 AM to 10 PM. The facility is locked at all other times and only designated Managers of the University and Maintenance have access during off hours.

The building is locked and unlocked Monday through Friday by the Campus Management during business hours. All students and staff are required to always display the Tricoci University name tags while on campus. The Guest Services Desk will screen all Guests for admittance to the facilities.

## **A Statement of Policies Concerning Campus Law Enforcement**

The University does not have a campus law enforcement department; however, the Campus Director has a working relationship with the Elgin Police Department who will assist in the investigation of any alleged criminal offenses.

Students and staff are encouraged to accurately and timely report all crimes to the Campus Director, Title IX Coordinator, or a CSA, when the victim of a crime elects to, or is unable to, make such a report.

Tricoci does not have pastoral counselors or professional counselors available to assist students in need of such counseling services; however, students who have been a victim of a crime are encouraged to contact local counseling services.

- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse, Incest National Network: <http://www.rainn.org/>
- National Domestic Violence Hotline: 1-800-799-7233
- Center for Changing our Campus Culture: [changingourcampus.org](http://changingourcampus.org)

## **A Description of the Type and Frequency of Programs Designed to Inform Students and Staff About Campus Security Procedures and to Encourage Students and Staff to be Responsible for Their Own Security and the Security of Others**

Biannually the Campus Director or their designee holds a meeting with all students and staff to discuss campus security and the procedures in place to protect the members of the Tricoci Elgin community. This includes procedures to vet visitors to the campus, and the methods used to notify everyone of any potential threat to the community, such as text message blasts. The Campus Director or their designee also encourages students and employees to be responsible for their own security and the security of others.

The Campus Director or their designee also conducts a meeting at each class orientation to inform all incoming students about campus security procedures and practices and to provide information as to the location of the ASR. Crime Prevention information is given to students at the time of their orientation.

Information about campus safety policies and procedures through class announcements and through system wide email communication is disseminated by the Campus Director or their designee. Faculty and staff are informed of these policies and procedures during new employee orientation.

At each meeting or orientation, the Campus Director or their designee discusses each person's responsibilities toward themselves and others as follows:

Be responsible for your own security and the security of others.

- Report criminal actions or other emergencies occurring on campus to the Campus Director or their designee, the Title IX Coordinator or to a CSA.
- Do not leave valuables visible in your car and always lock your car.
- Do not keep personal or valuable items in bags (backpacks, purses, kit bags) that will not be secure.
- Leave personal banking information at home.
- Use your locker—do not leave personal property unattended in unsecured locations.
- Keep your campus locker locked; and do not give anyone except Campus Management your locker combination. Tricoci University is not responsible for lost or stolen items.
- Be aware of others around you both inside and around Tricoci University property as well as out in your community.
- If you are uncomfortable with your surroundings, seek assistance and request an escort.
- All campus rooms have the nearest exits posted by the door; make sure you are aware of their location.
- Know where the exits are in case of an evacuation.
- When working late, keep all doors locked.
- If you think a situation is dangerous, it most likely is; immediately seek assistance.
- In the case of an evacuation, assist others that may need assistance.
- If you see something or someone that looks suspicious, notify a Campus official.

### **A Description of the Programs Designed to Inform Students and Staff About the Prevention of Crimes**

Tricoci University requests that students and employees follow general security guidelines that we believe will help prevent crimes.

All incoming students receive information about campus crime prevention programs during initial orientation. During orientation programs are presented that address sexual assault, and other personal safety topics. Employees receive similar information during new employee orientation. Students and staff are given information concerning the prevention of various crimes detailed throughout this report.

### **A Statement of the Policy Regarding the Possession, Use, and Sale of Alcoholic Beverages and Enforcement of State Underage Drinking Laws.**

Tricoci complies with all federal, state, and local laws on the use or sale of alcohol by its students and staff. Each member of the Tricoci Elgin community should be involved in the implementation of and compliance with this policy.

Tricoci students and staff are prohibited from being in possession or use of any alcoholic products on campus property, regardless of being of legal age to consume alcohol. The possession, use, or distribution of alcohol is also prohibited in conjunction with any of the institution's activities. Students and staff are encouraged to report any violations of this policy to the Campus Director or their designee. Reports may be made anonymously.

Individuals who violate this policy are subject to disciplinary sanctions including suspension and expulsion for students, and discharge for employees.

### **A Statement of Policy Regarding the Possession, Use, and Sale of Illegal Drugs and Enforcement of Federal and State Drug Laws.**

Tricoci Elgin complies with all federal, state, and local laws concerning the abuse of any drugs by its

students and staff. The University does not permit nor condone the illegal possession and/or use of any controlled substances. Although recreational use of marijuana is legal in Illinois for adults over the age of 21, Tricoci does not permit or condone its possession or use on Campus or at any Campus activity.

Controlled substances mean any drug included in the definition of controlled substance in Schedule I through V of Section 202 of the Federal Controlled Substance Act [21 United States Code 812].

Each member of the Tricoci community should be involved in the implementation of and compliance with this policy. Students and staff are encouraged to report any violations of this policy to the Campus Director or their designee. Reports may be made anonymously.

The University students and staff must refrain from the possession, use, or distribution of non-medical drugs in any form. Individuals who violate this policy are subject to disciplinary sanctions including suspension and expulsion for students, and discharge for employees.

### **A Description of any Drug or Alcohol-Abuse Education Programs, as Required Under the Drug-Free Schools and Communities Act of 1989.**

The Campus Director or their designee offers a drug and alcohol-abuse awareness program annually in conjunction with the publication of the ASR.

Annually Tricoci distributes to each employee and student its Drug Prevention Program. Tricoci provides a copy of the University's Drug Prevention Program to all incoming students at orientation as well as to all new hires during their orientation. The Program is also found on Tricoci's website and includes:

Standards of conduct detailed above, that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of drugs or alcohol by students and employees on its property or as part of any of its activities;

Illinois law prohibits public intoxication, operation of a vehicle or bicycle under the influence of alcohol or other intoxicants, and consumption of alcohol in a public place. Violation of these or other laws relating to drugs and alcohol may result in probation, fines, imprisonment, and a permanent criminal record.

Students and staff are provided with information concerning the health risks associated with alcohol abuse and the illegal use of drugs. The health consequences of alcohol and substance abuse may be immediate and unpredictable, such as fatalities associated with alcohol and drug overdoses, or more long term, such as liver and brain damage associated with the prolonged use of alcohol.

### **The Following are Some of the Health Consequences of Alcohol and Other Drug Use**

Alcohol: Short-term effects include depressed central nervous system, impeded attention and memory, impaired judgment, impaired vision, impairment of other senses, irregular sleep, impaired driving, unconsciousness, and, with excessive use, death. Long-term effects of heavy use include damage to the liver, heart and pancreas, irritation of the gastrointestinal system, high blood pressure, oral cancer, malnutrition and nutritional deficiencies and lowered resistance to disease. Use during pregnancy can cause severe damage to the developing fetus.

Depressants: Short-term effects include depressed central nervous system, mildly impaired coordination, impaired judgment and short-term memory, impaired driving, and reduced anxiety/lethargy. In high doses, short-term effects can include irregular breathing, impaired reflexes, coma and death. Long-term effects of heavy use include disturbed sleep, chronic fatigue, anxiety, restlessness and depression, slower reflexes and impaired coordination, reduced sex drive and/or impotence, menstrual irregularities, hostility and mood swings and cross-tolerance to other depressants. Use during pregnancy can harm the developing fetus.



Hallucinogens: Because some of these substances are synthetic, they may be particularly potent and may contain impurities. Short-term effects include changes in perception, mood, thought and brain function, loss of judgment, disorientation, mild confusion and/or hallucinations, visual disturbances, increased heart rate, blood pressure and body temperature, nausea, vomiting and/or abdominal discomfort. In high doses, some hallucinogens can cause death. Over the long term, heavy use can precipitate severe psychotic episodes. In addition, flashbacks can occur spontaneously. Their effects during pregnancy are not fully understood.

Opiates: Short-term effects include impaired driving. Higher doses can cause drowsiness, sedation, dizziness or euphoria. Some may have a stimulating effect, with increased heart rate, blood pressure, tremors and seizures. Very high doses can cause decreased heart rate and blood pressure, muscle contraction, cyanosis and death. Over the long term, heavy use can result in impaired vision, chronic constipation, a higher risk of pulmonary complications, and mood swings. Needle use can lead to abscesses, collapsed veins and infections. Use during pregnancy can harm a developing fetus and create a higher risk of premature birth, miscarriage and stillbirth.

Marijuana: Short-term effects are the same as many of the short-term effects of depressants, stimulants and hallucinogens. They can include impaired judgment, short-term memory loss, impaired intellectual performance, reddening of eyes, sensory distortion, impaired coordination, drowsiness, and impaired driving. Short-term use can also aggravate pre-existing heart problems and mental health problems. Over the long term, effects include respiratory damage, impairment of memory and concentration and interference with the physical, psychological and social development of young users. The effect of daily use during pregnancy may cause problems in the developing fetus, but the effect is not fully known.

Stimulants: Short-term effects include impaired driving, impaired judgment, rapid breathing, increased heart rate and palpitations, anxiety, restlessness, hostility, paranoia and confusion, and visual and auditory hallucinations. Overdose can lead to death. Over the long term, use of stimulants can cause severe anxiety and paranoia, impaired coordination, tremors, high blood pressure, malnutrition, chronic sleeplessness, and damage to internal organs, such as the brain, heart, lung, liver and kidneys. Chronic use can lead to death. Use during pregnancy can cause damage to the developing fetus.

## **Resources**

Students or staff with alcohol- or drug-related issues may be referred to or seek assistance from the local services available in the community at Drug & Alcohol Rehab Programs in Elgin, IL

Other sources of assistance:

Alcoholics Anonymous: [www.chicagoaa.org](http://www.chicagoaa.org)

Cocaine Anonymous: [www.illinoisareaca.org](http://www.illinoisareaca.org)

Narcotics Anonymous: [www.heartofillinoisna.org](http://www.heartofillinoisna.org)

Mental Health Association of Illinois: <https://m4.havenhealthmgmt.org>

A violation of the Policy regarding the possession, use, and sale of alcohol or illegal drugs may result in a Tricoci University disciplinary action, which could include suspension or expulsion of a student or termination of employment and referral for prosecution. A disciplinary sanction may also include the completion of an appropriate rehabilitation program.

Tricoci is obligated to perform a biennial review to determine the effectiveness of its Drug and Alcohol Abuse Prevention Program (DAAPP) and implement changes to the program if they are needed; and ensure that the disciplinary sanctions described in this document are consistently enforced.

## **Review of Effectiveness of DAAPP**

Tricoci's Campus Director or their designee annually performs a review of the effectiveness of its Drug and Alcohol Abuse Prevention Program (DAAPP). The review is led by the Director of Compliance and the outcome is reported as required.

To determine if the DAAPP is meeting its objective, Tricoci University performs the following steps:

1. Determines how many violations of the Policy & Standards of Conduct Regarding Drugs & Alcohol occurred during the prior calendar year.
2. Determines if any students had been terminated or suspended or if any staff had been terminated due to a violation of the Policy & Standards of Conduct Regarding Drugs & Alcohol during the prior calendar year.
3. Depending on the number of occurrences of violations during the period, Tricoci University determines whether there is a drug and or alcohol issue at the campus. If the number of violations exceeds 2 or more then the campus has a potential drug and or alcohol issue.
4. Follow-up actions taken if it is determined that the campus has a potential drug or alcohol issue:
  - a. The Campus Director or a University executive will be assigned to investigate and develop recommendations to the Director of Compliance.
  - b. See Step 5—Executive Investigation Process below.
  - a. The Campus Director will review the violation to determine the root cause(s) of the violation and what actions, if any, can be taken to address the root cause.
  - b. The Campus Director will provide a summary of any recommendations to the Director of Compliance.
  - c. The Director of Compliance will review the summary and approve the appropriate recommendations and provide guidance to the Campus Director to help with the implementation of the approved recommendations.
5. Executive Investigation Process (if applicable):
  - a. Were any of the violations such that earlier campus management action, should have occurred?
  - b. Was it a management judgement issue (i.e., manager(s) looked the other way) or one where red flags could have been seen and triggered an earlier intervention?
  - c. Were any of the violations related to each other; if so, was the campus an environment that indirectly facilitated these violations?
  - d. Are there changes to Policy & Standards of Conduct Regarding Drugs & Alcohol that would likely reduce or eliminate the violations that occurred?
6. If the answer to 5 a through d is "yes," then the potential changes should be specified by the Senior Executive who conducted the analysis and investigation, in the form of a list of recommended changes to Tricoci University of Elgin's DAAPP.

## **Results of Most Recent Effectiveness Review**

Tricoci University's executive leadership team will review any recommended change(s) that result from the annual review and, where practical/implementable, make the change(s) to the DAAPP prior to the next October 1 deadline for sharing the ASR with students and employees.

During the summer of 2024, Tricoci University of Beauty Culture conducted a review of the effectiveness of our DAAPP, for the calendar year 2023, as outlined above. The results of our review showed that there were no instances of drug or alcohol violations. Therefore, it was determined that Tricoci's DAAPP is effective, and no changes need to be made.

## **Alcohol and Drug Amnesty Provision**

Tricoci University provides amnesty to any student who reports or provides information, in good faith, related to alleged violations of this policy. The reporting or participating student(s) will not receive a disciplinary sanction by the University for a student conduct violation, such as underage drinking,

which is revealed in the course of a report. The University may find, however, that education or other non-disciplinary actions are appropriate.

**A Statement Advising the Campus Community where Law Enforcement Agency Information Provided by a State under section 121 of the Adam Walsh Child Protection and Safety Act of 2006, Concerning Registered Sex Offenders May be Obtained,**

Students and employees may use the following link that lead to private, federal and state resources on where to obtain information on registered sex offenders.

- U.S. Department of Justice: <https://www.nsopw.gov/Home>

**A Statement of Policy Regarding Emergency Response and Evacuation Procedures**

Once it has been determined that an emergency exist that requires building evacuation, students, employees and guests will be notified by an alarm sound, or when instructed by an announcement from a campus official, through email or text message unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The Campus Director, Title IX Coordinator or a CSA will determine the content of the message, considering the safety of the community in the message, and initiate the notification system. Upon receiving a message to evacuate, all parties are instructed to remain calm and keep to the right of walkways when exiting the building. Students, employees, and guests should exit through the nearest exit, taking only personal valuables that are in the immediate area. All emergency exit maps are posted throughout the campus and in each classroom. Students, employees, and guests are instructed not to return to offices and lockers. After exiting the building, everyone will be instructed to gather at the campus designated evacuation area. If you are in the front of campus you will need to meet in the parking lot in front of campus. If you are in the back of the building, you will meet in the back parking lot near the fence and remain there until an all-clear sign has been given by a campus official.

**Shelter in Place**

In the event a severe weather warning has been issued or another situation arises such as an active shooter that may impact the health or safety of people on campus, an announcement and directives will be made via the campus intercom or through email or text messages. All students and employees need to remain calm and should follow the verbal instructions, seeking shelter in interior, non-windowed areas of the school.

Tricoci University conducts two tests of these procedures each year; the first during Spring and the second during Fall. Tests will be performed for both eventualities; an evacuation or a shelter in place. Tricoci Officials will document a description of each test that includes the date, time, and whether it was announced or unannounced.

**Crime Statistics**

**Crimes That Must be Reported and Disclosed**

Tricoci University is required to report to the Department in its annual security report statistics for the three most recent calendar years concerning the number of each of the following crimes that occurred on or within its Clery geography and that are reported to local police agencies or to a campus security authority:

Primary crimes, including:

Criminal homicide:

- Murder and nonnegligent manslaughter; and
- Negligent manslaughter.

Sex offenses:

Rape;  
Fondling;  
Incest; and  
Statutory rape.

Robbery.  
Aggravated assault.  
Burglary.  
Motor vehicle theft.  
Arson.

Arrests and referrals for disciplinary actions, including arrests for liquor law violations, drug law violations, and illegal weapons possession.

Persons not included elsewhere in this section who were referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.

Hate crimes, including:

The number of each type of crime listed above that are determined to be hate crimes; and

The number of the following crimes that are determined to be hate crimes:

Larceny-theft.  
Simple assault.  
Intimidation.  
Destruction/damage/vandalism of property.

Dating violence, domestic violence, and stalking as defined in above.

#### **All Reported Crimes Must be Recorded.**

Tricoci is required to include in its crime statistics all crimes listed above occurring on or within its Clery geography that are reported to the Campus Director, the Title IX Coordinator, or a CSA for purposes of Clery Act reporting. Clery Act reporting does not require initiating an investigation or disclosing personally identifying information about the victim, as defined in the Violence Against Women Act of 1994.

Tricoci may not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar noncampus official. However, the University may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore "unfounded." Only sworn or commissioned law enforcement personnel may "unfound" a crime report for purposes of reporting under this section. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, or the failure to make an arrest do not "unfound" a crime report.

If a crime is subsequently "unfounded" Tricoci must report to the Department and disclose in its annual security report statistics the total number of crime reports that were "unfounded" and subsequently withheld from its crime statistics during each of the three most recent calendar years.

#### **Hate Crimes Must be Recorded by Category of Bias.**

For each hate crime recorded Tricoci will identify the category of bias that motivated the crime. For the purposes of this paragraph, the categories of bias include the victim's actual or perceived Race, Gender, Gender identity, Religion, Sexual orientation, Ethnicity, National origin, and Disability.

Crimes are Recorded by Calendar Year and by location; whether each of the crimes reported occurred on campus, or on public property.

### **Recording Reports of Stalking.**

When recording reports of stalking that include activities in more than one calendar year, Tricoci will record a crime statistic for each and every year in which the course of conduct is reported to a local police agency or to a campus security authority.

Reports of crimes of stalking are reported as occurring at only the first location within Tricoci's Clery geography in which a perpetrator engaged in the stalking course of conduct, or a victim first became aware of the stalking.

The statistics required in this report do not include the identification of the victim or the person accused of committing the crime.

### **Using the FBI's UCR Program and the Hierarchy Rule.**

Crime statistics for murder and nonnegligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession use the definitions of those crimes from the "Summary Reporting System (SRS) User Manual" from the FBI's UCR Program.

Crime statistics for fondling, incest, and statutory rape use the definitions of those crimes from the "National Incident-Based Reporting System (NIBRS) User Manual" from the FBI's UCR Program.

Crime statistics for the hate crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property use the definitions provided in the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program.

Crimes for Dating Violence, Domestic Violence, and Stalking use the definitions provided above.

In counting crimes when more than one offense was committed during a single incident, crimes are reported conforming to the requirements of the Hierarchy Rule in the "Summary Reporting System (SRS) User Manual."

If arson is committed, an institution must always record the arson in its statistics, regardless of whether or not it occurs in the same incident as another crime. If rape, fondling, incest, or statutory rape occurs in the same incident as a murder, an institution must record both the sex offense and the murder in its statistics.

Geographic areas associated with The Clery Act are the Campus building and all public property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus. Tricoci University does not have any non-campus buildings.

### **Crime Definitions from the "Summary Reporting System (SRS) User Manual" from the FBI's UCR Program** **Arson**

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

### **Criminal Homicide—Manslaughter by Negligence**

The killing of another person through gross negligence.

### **Criminal Homicide—Murder and Nonnegligent Manslaughter**

The willful (nonnegligent) killing of one human being by another.

**Rape**

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Robbery**

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault**

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

**Burglary**

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

**Illegal Weapons Possession**

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Other than in the possession of an official on-duty officer of the law, prohibited and/or dangerous weapons are not permitted on Tricoci University campus, Clery geography or Tricoci University organized offsite events. A permit to carry a firearm or concealed weapon does not supersede this policy. Students or employees in possession of a weapon will be immediately terminated and the police contacted.

Some examples of prohibited weapons include:

- Firearms (pistols, revolvers, shotguns, rifles and bb guns)
- Knives (switchblades, gravity knives, etc.)
- Metal knuckles
- Bows and arrows
- Tasers

**Drug Abuse Violations**

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**Liquor Law Violations**

The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

## **Crime Definitions from the Hate Crime Data Collection Guidelines and Training Manual from the FBI's UCR Program**

### **Larceny-Theft (Except Motor Vehicle Theft)**

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

### **Simple Assault**

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

### **Intimidation**

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

### **Destruction/Damage/Vandalism of Property**

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## **A Statement of Policy Regarding the Institution's Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

Tricoci University provides prevention and awareness programs for all incoming students and new employees as well as all current students and employees. The University prohibits crimes of sexual misconduct defined as dating violence, domestic violence, sexual assault, and stalking, as defined below.

### **Definitions:**

#### **Dating Violence:**

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Dating violence does not include acts covered under the definition of domestic violence.

For the purposes of complying with the requirements of this section any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

#### **Domestic Violence.**

A felony or misdemeanor crime of violence committed,

By a current or former spouse or intimate partner of the victim,

By a person with whom the victim shares a child in common,

By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner,

By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or

By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

For the purposes of complying with the requirements of this section any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Sexual Assault.**

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program as follows:

### **Sex Offenses**

Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.

### **Rape**

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

### **Fondling**

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

### **Incest**

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

### **Statutory Rape**

Sexual intercourse with a person who is under the statutory age of consent.

### **Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

For the purposes of this definition—

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

A reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

For the purposes of complying with the requirements of this section any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Consent**

Verbal and/or non-verbal conduct or actions indicating clear, knowing, and voluntary permission to engage in sexual activity prior to and during sexual activity. Further considerations of consent include the following:



- A person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent.
- A person's manner or dress does not constitute consent.
- A person's consent to past sexual activity does not constitute consent to future sexual activity.
- A person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.
- A person can withdraw consent at any time before or during sexual activity.
- Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) coercion, (e) incapacitation or (f) any other factor that would eliminate an individual's ability to exercise his or her own free will to choose whether or not to have sexual activity such as mental illness or being under the influence of alcohol or drugs,.

## **Sexual Harassment**

Unwelcome verbal or physical behavior based on a person's sex (including sexual orientation, gender, gender expression and gender identity, including transgender status). Conduct is considered "unwelcome" if the individual did not request or invite it and considered the conduct to be undesirable or offensive. This includes unwelcome conduct when a Tricoci employee conditions the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct (quid pro quo); and/or such conduct alters the conditions of, or has the effect of interfering with, an individual's educational or work experience by creating an intimidating, hostile or offensive environment (hostile environment). The effect will be evaluated based on the perspective of a reasonable person in the position of a victim.

Tricoci's goal is to provide information to prevent and to end dating violence, domestic violence, sexual assault, and stalking (sexual misconduct). Programs include encouraging students and staff to be aware of their surroundings to safeguard their persons and individual property, whether on school property or elsewhere in their community. The ultimate goal of Tricoci's programs to prevent crimes of sexual misconduct is to make students aware of protecting themselves against such crimes. Tricoci's campus includes diverse cultures and programs are designed to address cultural differences. The Campus Director or their designee and Title IX Coordinator conduct presentations that provide information on how to prevent dating violence, domestic violence, sexual assault, and stalking. The presentations are given to students and employees twice a year; in the fall and spring. Information on safety and security is provided by posters, oral presentations, and crime alerts.

The Title IX Coordinator is responsible for responding to reports of dating violence, domestic violence, sexual assault, and stalking on behalf of the University. The Title IX Coordinator's responsibilities include, but are not limited to:

- Receiving the required training in relevant state and federal laws and the University's policies and procedures;
- Advising an individual, including a victim, third-party reporter, or the accused about the University's policies and procedures related to sex discrimination, sexual harassment, and sexual misconduct as well as explaining courses of action available at the University and the courses of action available externally regarding any such incidents, including reporting to law enforcement;
- Receiving incident reports of sex discrimination, sexual harassment, and sexual misconduct;
- Informing victims of the availability of supportive measures;
- Informing victims of the process for filing a formal complaint under Title IX;
- Offering supportive measures to victims designed to restore or preserve equal access to the University's education program or activity;
- Conducting Title IX investigations;
- Coordinating the effective implementation of both supportive measures (to one or both

parties) and remedies to a victim as well as disciplinary sanctions which may be imposed upon the accused after the formal complaint process;

**Tricoci includes awareness programs** to students and employees that include discussions of various initiatives, and strategies to increase community knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration. This information is included in the semi-annual programs to prevent sexual misconduct.

**Bystander intervention** means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of sexual misconduct. Tricoci encourages all students and employees to report incidents of sexual misconduct that they observe or become aware of to the Title IX Coordinator or a CSA so that the University may take appropriate steps to eliminate the alleged misconduct and assist a victim in obtaining the appropriate supportive measures they need. Bystanders who choose to exercise this positive moral obligation will be supported by the University and shall be protected from retaliation. Tricoci also encourages bystanders who witness sexual misconduct to take reasonable and prudent actions to prevent or stop the conduct. Actions may include direct intervention, calling law enforcement, or seeking assistance from a person in authority. Tricoci includes safe options for bystander intervention such as recognizing situations of potential harm and identifying safe and effective intervention options.

Tricoci's ongoing prevention and awareness campaigns include initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to skills for addressing sexual misconduct. During these sessions Tricoci officials discuss using a range of strategies with the community.

Tricoci's sessions are assessed for value and effectiveness of the intended goal to stop sexual misconduct before it occurs through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Included in the programs are options for risk reduction designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Any student or employee of the University, or a person when the individual was participating or attempting to participate in the University's education program or activity, or a parent, guardian, or other authorized legal representative of a student has the right to make a complaint of sex discrimination, or sexual misconduct and to request Tricoci investigate and make a determination about alleged discrimination under Title IX.

When the Title IX Coordinator receives notice of a complaint of an alleged incident of dating violence, domestic violence, sexual assault, or stalking the Title IX Coordinator will promptly contact the victim to provide information about the victim's options including the importance of preserving evidence.

Anyone who is a victim of sexual violence, seeking medical care is important, regardless of whether they choose to report the crime to the police. Medical attention will provide for physical exam, treatment and collection of any evidence of the assault. It is important to remember:

- Sexual assault can result in injury or illness that may not immediately be evident. It is important to seek appropriate medical care promptly.
- Victims should resist the urge to change clothes, bathe, douche, eat, drink, or brush their

teeth.

- Victims should bring a change of clothes when they go to the emergency room. Their clothing will be kept as evidence.
- Victims should avoid going to the bathroom, if possible.

This is so that physical evidence can be collected and preserved. A victim does not need to decide immediately following an assault whether they want to pursue legal action or obtain a letter of protection against their assailant, but if they save the evidence, it offers more options in the future when the victim is better able to decide.

A person who is a victim of sexual misconduct should immediately report the incident to Title IX Coordinator or a CSA. If the victim requests that their information remain confidential the Title IX Coordinator will respect the victim's wishes to protect their personal identification and still fulfill their reporting requirements by making general reports for inclusion in the ASR.

The Title IX Coordinator will provide the victim's options to them, including reporting the crime to the local Police Department. If the victim chooses to notify law enforcement, the Title IX Coordinator will provide assistance to the victim. If the victim chooses not to report the crime to law enforcement the Title IX Coordinator will respect their wishes.

Tricoci University will notify the victim of their rights for orders of protection, "no-contact" orders, restraining orders, or similar lawful orders issued by a criminal or civil court.

Tricoci will also keep confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University will also provide written notification to victims of a crime about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community.

Tricoci will also offer victims of sexual misconduct supportive measures that are designed to:

- Restore or preserve equal access to the party's education at Tricoci University;
- Protect the safety of all parties or the University educational environment; or
- Deter sexual harassment.

Tricoci University's Supportive Measures include, but are not limited to:

- Counseling services
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services
- Mutual restrictions on contact between the parties
- Changes in work location
- Leaves of absence
- Increased security and monitoring of certain areas of the campus
- Other similar measures as necessary

Tricoci University will offer supportive measures to every victim when the Title IX Coordinator receives a report of an incident of sex discrimination, sexual harassment, or sexual misconduct. Examples of a report may include written or oral reports submitted by a victim, Responsible Employee, third-party

reporter, or other University community member.

Upon receiving a report of an alleged incident of sexual harassment or sexual misconduct the Title IX Coordinator will promptly contact the victim to discuss the availability of supportive measures and explain the option for filing a formal complaint under Title IX. Supportive measures will be available to victims regardless of whether or not they wish to file a formal complaint to initiate disciplinary procedures.

### **Support Services**

In addition to reporting the matter to the Title IX Coordinator or an employee, persons may also need to address immediate physical and/or emotional trauma associated with the harassment or assault. Importantly, a victim should contact any of the following immediate care support providers:

Following is a link to professional resources in a specific zip code, as well as a list of professional agencies: <https://findahealthcenter.hrsa.gov/>

Other resources include the following:

- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse, Incest National Network: <http://www.rainn.org/>
- National Domestic Violence Hotline: 1-800-799-7233
- Center for Changing our Campus Culture: [changingourcampus.org](http://changingourcampus.org)

Should the allegation result in a formal complaint supportive measures will remain in place throughout the appeal process.

Victims of crimes will also receive written notification about options for available assistance on how to request changes to academic and working situations or to provide protective measures. The University will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement. Any accommodations or protective measures provided to the victim will be kept confidential.

Victims will also be provided with an explanation of the procedures for disciplinary action in cases of alleged sexual misconduct, and a statement that, when a student or employee reports to the institution that the student or employee has been a victim of sexual misconduct, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options, as the victim of sexual abuse.

### **Procedures for Institutional Disciplinary Action in Cases of Alleged Dating Violence, Domestic Violence, Sexual Assault, or Stalking.**

The types of disciplinary proceedings used by Tricoci are based on the circumstances of the complaint filed by the victim and brought to the Title IX Coordinator or a CSA. A complaint of Alleged Dating Violence, Domestic Violence, Sexual Assault, or Stalking may be processed differently than a complaint of sex discrimination on the basis of gender identity, sexual orientation, or pregnancy, which will be handled as a violation of Title IX and the disciplinary action will progress accordingly. Both processes include the investigation process, an informal resolution process, or a formal hearing and an appeal process.

Notice of the allegations, including sufficient details known at the time notice is sent, including the date, time and location of the alleged behavior, the identity of the parties and the specific act or acts that are alleged to violate the Policy's prohibition of Title IX Sexual Harassment, A statement that the respondent is presumed not responsible for the alleged conduct and that a determination

regarding responsibility is made at the conclusion of the grievance process;

Concerning Non-Title IX Sexual Misconduct matters such as Alleged Dating Violence, Domestic Violence, Sexual Assault, or Stalking, (Sexual Misconduct) when Tricoci becomes aware that Sexual Misconduct may have been committed by or against a student, employee, or guest, the University must conduct an investigation unless the information provided is insufficient to permit an investigation or the victim has requested that the University not pursue an investigation and the University has determined that refraining from an investigation will not result in a continuing threat to the Tricoci community.

The disciplinary proceedings begin upon the receipt of a formal complaint and continue through the final determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, hearings held, and appeals.

The Title IX Coordinator will determine facts supporting the determination, and any conclusions. The final determination will include a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions to be imposed on the accused, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the accuser and the University's procedures and basis for the accuser and accused to appeal the determination.

### **Definitions**

**Advisor** means any individual who provides the accuser or accused, guidance, or advice.

**Proceeding** means all activities related to a non-criminal resolution of a University disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. *Proceeding* does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

**Result** means any initial, interim, or final decision by any official or entity authorized to resolve disciplinary matters within the University. The result must include any sanctions imposed by the University. The result must also include the rationale for the result and the sanctions.

**Prohibition on Retaliation.** An institution, or an officer, employee, or agent of an institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities.

**Formal Complaint.** A victim of sexual misconduct may file a formal complaint to the Title IX Coordinator. The complaint must be in writing and may be submitted either by electronic submission (such as an email) that contains the victim's physical or digital signature or otherwise indicates that the victim is the person filing the complaint or in person, or by mail to the Title IX Coordinator. Formal complaints cannot be made by telephone.

A formal complaint alleges dating violence, domestic violence, sexual assault or stalking against the accused individual and requests that Tricoci University investigate the allegation of sexual misconduct. Submitting a formal complaint indicates the victim's decision to initiate the Title IX disciplinary action process.

There is no time limit on a victim's decision to file a formal complaint, so the decision to sign and file a formal complaint does not need to occur in the immediate aftermath of an alleged incident or reporting of an incident.

Filing of a formal complaint of an allegation of dating violence, domestic violence, sexual assault, or stalking (sexual misconduct) under Title IX initiates the investigation and disciplinary proceedings of Tricoci University.

### **Investigative Report**

Prior to a hearing the Title IX Coordinator will create an investigative report that fairly summarizes relevant evidence that was provided to them.

The Title IX Coordinator will send the report to each party and the party's advisor, if any, at least ten (10) calendar days prior to a scheduled hearing, in electronic format or hard copy. Upon review, the parties may submit a written response to the Title IX Coordinator not less than five (5) calendar days prior to the scheduled hearing, with a copy to the other party and their advisor. The other party may reply to the written response prior to or during the scheduled hearing.

During the live hearing, the Title IX Coordinator will permit each party's advisor to ask the other party and any witnesses any relevant questions and follow-up questions, including questions which challenge credibility.

Cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor, and cross-examination may never be conducted by a party personally.

Only relevant questions may be asked of a party or witness. Before an accuser, accused, or witness answers a question, the Title IX Coordinator will first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

Questions and evidence about the accuser's sexual predisposition or prior sexual behavior are not relevant.

If a party does not have an advisor present at the live hearing, the University will provide, without fee or charge to that party, an advisor of the University's choice to function as advisor on behalf of that party. The advisor may be, but is not required to be, an attorney.

The determination is final either on the date the University provides the parties with the written determination of an appeal, if an appeal was filed; or the date for filing an appeal expires without an appeal having been filed.

### **Informal Resolution**

At any time prior to reaching a determination Tricoci University offers accusers and accused informal resolution options such as mediation, restorative justice, or other forms of alternative dispute resolution that do not involve or require a full investigation and adjudication (hearing process).

To proceed with informal resolution options, Tricoci must obtain voluntary, written consent from the parties to the informal resolution process. The University will provide the parties with a written notice disclosing the allegations. Any time prior to agreeing to a resolution, either party has the right to withdraw from the informal resolution process and resume the disciplinary proceedings with respect to the formal complaint. At the conclusion of the informal resolution any consequences the parties agree to will be provided to both parties in writing. The requirements of the informal resolution process includes the circumstances under which the informal resolution process would preclude the parties from resuming a formal complaint arising from the same allegations.

Tricoci's goal is to complete the informal resolution process within 10 days of the decision to proceed

with an informal resolution.

Tricoci is prohibited from offering informal resolution options in cases that involve a University employee's sexual harassment of a student.

### **Preliminary Assessment**

Upon receiving a report or formal complaint of an alleged incident of sex discrimination, sexual harassment, or sexual misconduct, the Title IX Coordinator will conduct a preliminary assessment to determine Tricoci University's response using the following threshold criteria:

Determine if the incident occurred in Tricoci University's own education program or activity or on Tricoci's Clery geography.

If the alleged conduct occurred in a Tricoci University education program or activity or on Clery geography the Title IX Coordinator will then assess if the incident will be considered "sexual misconduct," or "sex discrimination" under Title IX.

After conducting the assessment, the Title IX Coordinator will send a written notification of their preliminary assessment to the victim and the accused.

The victim may appeal the Title IX Coordinator's preliminary assessment of the alleged incident to the Tricoci Chief Operations Officer within (10) calendar days of receiving written notice from the Title IX Coordinator.

Regardless of whether an alleged incident is determined to constitute sexual harassment, sexual misconduct, or sex discrimination, and regardless of whether or not the victim files a formal complaint under Title IX, Tricoci University will provide supportive measures to the victim. Supportive Measures are detailed elsewhere in this report.

In a disciplinary proceeding arising from an allegation of sexual misconduct the University relies upon an objective evaluation of all relevant evidence. The University applies the preponderance of evidence standard, which means that the evidence presented and collected during the disciplinary process demonstrates that it is more likely than not that the alleged conduct or policy violation occurred.

There are several possible sanctions that Tricoci may impose following the results of any institutional disciplinary proceeding for an allegation of sexual misconduct. Disciplinary sanctions range from a written warning to expulsion (student) or termination (employee) from the University, depending on the severity of the incident and taking into account any previous disciplinary violations. Sanctions may also include reporting the result of the proceeding to the local police for possible prosecution should the victim choose to press charges against the accused.

Tricoci will offer the victim following an allegation of sexual misconduct written notification about options for available assistance and how to request changes to academic and working situations or protective measures.

The proceedings will be conducted by the Title IX Coordinator and officials of the University who receive annual training on the issues related to sex discrimination as well as dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Tricoci University prohibits parties, including accusers, the accused, and witnesses, from knowingly making false statements or knowingly submitting false information in connection with any allegation of Sexual Misconduct (as opposed to providing information which, even if erroneous, is provided in good faith) during the disciplinary proceedings.

If, during the course of the investigation, the University decides to investigate allegations about the accuser or the accused that are not included in the initial notice provided to the parties, the University will provide written notice of the additional allegations to the parties whose identities are known.

Both the accuser and the accused will be provided the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.

The University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or disciplinary proceeding, however, Tricoci may establish restrictions regarding the extent to which the advisor may participate in the proceedings and any restrictions will apply equally to both parties.

Tricoci will notify both the accuser and the accused simultaneously, in writing, of the result of any institutional disciplinary proceeding that arises from an allegation of sex discrimination or sexual misconduct.

Either the accuser or the accused may file a written statement of appeal of a determination or dismissal of a formal complaint within five (5) calendar days after receiving the written determination. The notice of appeal must be delivered to the Title IX Coordinator by email, personal delivery, certified mail, or overnight delivery service.

### **General Information**

Determination of a party's credibility will not be based on a person's status as a victim or the accused, or a witness. The University presumes that the accused is not responsible for the alleged conduct

until a determination regarding responsibility at the conclusion of the disciplinary process.

Either party may appeal a determination on the following basis:

- Procedural irregularity that affected the outcome of the process.
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the process.
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against victims or the accused generally or the individual victim or individual accused that affected the outcome of the process.
- The sanction is disproportionate with the violation.

The University will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties, including a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The Title IX Coordinator or the Tricoci official making a determination in the case of an appeal will issue a written decision simultaneously to both parties, describing the result and the rationale of the decision generally within ten (10) calendar days of receiving the final written statements from the



parties.

Tricoci University will provide a prompt, fair, and impartial proceeding, including appeals within one hundred twenty (120) calendar days. In the case of a temporary delay or a limited extension of time for good cause Tricoci will provide written notice to the accuser and the accused of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of the party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

All proceedings will be conducted in a manner that is consistent with Tricoci's policies and transparent to the accuser and accused and will include timely notice of meetings at which the accuser or accused, or both, may be present. The University will also provide timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings, and proceedings will be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

### **Dismissal of a Formal Complaint**

In accordance with Title IX, Tricoci University must dismiss the formal complaint of sexual harassment under Title IX if at any point during the investigation or hearing process it is determined that the conduct alleged in the formal complaint would not constitute sexual discrimination as defined under Title IX even if proven and/or did not occur in University education program or activity, or on Tricoci's Clery geography.

The University reserves the right to dismiss a formal complaint if at any time during the investigation or hearing:

- The victim notifies the Title IX Coordinator in writing that they would like to withdraw the formal complaint or any allegations therein;
- The accused is no longer enrolled or employed by the University
- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal of a formal complaint the University will promptly send a written notice of dismissal and reason(s) simultaneously to both parties.

The victim and accused have the right to appeal the University's dismissal of the formal complaint or any allegations therein.

### **Emergency Removal**

The University reserves the right to remove the accused from the Tricoci University education program or activity without undergoing a disciplinary process on an emergency basis in the event that the University undertakes an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

In the event of emergency removal, the University will provide the accused with post-removal notice and the opportunity to challenge the decision immediately following the removal.

### **Administrative Leave**

Tricoci University reserves the right to place an accused student or employee on administrative leave during the disciplinary process.

**Report to Law Enforcement**

Should an individual report an incident of sexual harassment or sexual misconduct to both the University and local law enforcement, the University will cooperate with law enforcement. Such cooperation may require the University to temporarily suspend its own investigation into the alleged conduct. During this time, the University will continue to offer supportive measures to the victim. As soon as local law enforcement or the University determines that a delay is no longer necessary, the University will promptly resume its investigation.

In addition to the foregoing, all faculty and staff who become aware of or suspect sexual abuse of a minor (under the age of 17) must report that information to the Title IX Coordinator who shall then inform local, state and/or federal law enforcement officials of such incident as required by law.

CAMPUS CRIME STATISTICS	Elgin					
	On Campus			Off Campus		
	2021	2022	2023	2021	2022	2023
<b>Criminal Homicide</b>						
Murder and Non-negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
<b>Sex Offenses</b>						
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
<b>Arrests</b>						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Possession	0	0	0	0	0	0
<b>Referred for Disciplinary Action</b>						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
<b>Hate Crimes</b>						
Larceny theft	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0
None of the crimes reported above were categorized as Hate Crimes.						
No crimes were unfounded.						